

### **AMENDMENTS TO THE DRAWINGS**

The attached "Replacement Sheets" of drawings include changes to Figures 3-5. The attached "Replacement Sheets," which include Figures 3-5, replace the original sheets including Figures 3-5.

Attachment: Replacement Sheets

## **REMARKS**

Claims 10-24 are presently pending in the application. Claims 10-13, 15-21, 23 and 24 are rejected. Claims 14 and 22 are objected to. Claims 1-9 have been cancelled. Claims 10, 14, 17 and 22 have been amended. The specification and drawings have been amended.

Reconsideration of the objections and rejections set forth in the aforementioned Office Action is respectfully requested in view of the following remarks. The basis for the amendments can be found throughout the Specification, Claims and Drawings as originally filed.

### **AMENDMENT TO SPECIFICATION**

The Applicant has amended paragraph [0021] to correctly note that the plurality of apertures 80 extend through conical portion 76 of guard 42. Support for this amendment may be found in Figure 7 of the provisional application serial no. 60/455,890 from which this application claims the benefit. A copy of Figure 7 from the provisional application is attached for the Examiner's review.

### **DRAWINGS**

The drawings stand objected to under 37 CFR 1.84(h)(5) because Figure 3 shows modified forms of construction in the same view. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "222" has been used to designate both the cover in Figure 3 and the cover in Figure 6.

The Applicant has revised Figure 3 to remove one of the optional forms of construction and reference numeral 222. Accordingly, the Applicant respectfully requests withdrawal of the objection to the drawings.

The drawings are objected to under 37 CFR 1.83(a) because the guard plate including a plurality of apertures having portions of the shield positioned in the apertures must be shown.

The Applicant has revised Figures 3-5 to correctly show the location of apertures 80 and guard 42. The Applicant respectfully directs the Examiner's attention to the provisional patent application serial no. 60/455,890 filed March 18, 2003 where Figure 7 (copy attached) depicts the apertures in the location shown in corrected Figures 3-5. Furthermore, the Applicant would like to direct the Examiner's attention to paragraph 22 where the Applicant describes that shield 44 includes a first portion 15 and a second detachable portion 16 molded to guard 42. Furthermore, claims 14 and 22 state that the guard structure or the guard plate includes a plurality of apertures having portions of the shield positioned in the apertures. Accordingly, the Applicant respectfully submits that no new matter has been added in corrected Figures 3-5.

#### **REJECTION UNDER 35 U.S.C. § 102**

Claims 10 and 11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Rullmann et al. (US 6,370,751).

The Applicant has amended claim 10 to recite that the cover includes a one-piece shield having a first portion and a detachable second portion. The Applicant respectfully submits that Rullmann et al. does not disclose a one-piece shield having a first portion and a detachable second portion. The Examiner identifies a "shield" (14, 16) having a first portion (16) and a detachable second portion (14). The Applicant respectfully submits that Rullmann et al. shows a seal driver 14 that is entirely separate

from outer ring 16 of shaft seal 18. In particular, Figure 1 of Rullmann et al. merely discloses seal driver 14 being forced into engagement with outer ring 16 as depicted by the large arrow applying force on wood 12 in Figure 1.

Claims 10, 11, 15-19, 23 and 24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Halliday, Jr. et al. (US 4,815,884).

The Applicant has amended claims 10 and 17 to recite a one-piece shield having a first portion and a detachable second portion in combination with the other elements recited in these claims. The Applicant respectfully submits that Halliday, Jr. et al. does not disclose each and every element of amended claim 10 or amended claim 17. On the contrary, Halliday, Jr. et al. discloses a seal protector 10 and a separate plug 60. From the cross hatching shown in Figure 1 of Halliday, Jr. et al. it is clear that a one-piece shield having a first portion and a detachable second portion is not disclosed. Furthermore, Halliday, Jr. et al. at Col. 5, lines 10-21 describes that plug 60 is merely optional and that the protector 10 described may be provided separately from and function without plug 60. Accordingly, the Applicant respectfully requests withdrawal of the § 102 rejections to independent claims 10 and 17 and any claims depending therefrom.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 12, 13, 20 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Halliday, Jr. et al.

As previously described, the Applicant has amended claims 10 and 17 to recite the cover includes a one-piece shield at a first portion and a detachable second portion.

The Applicant respectfully relies on the claim amendments and arguments previously set forth relating to Halliday, Jr. et al.

#### **ALLOWABLE SUBJECT MATTER**

Claims 14 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Applicant would like to thank the Examiner for indicating the allowable subject matter in claims 14 and 22. The Applicant has amended claims 14 and 22 to place them in independent form to include the limitations of the base claim. Accordingly, the Applicant respectfully requests the Examiner to withdraw the objections to claims 14 and 22 and pass them to allowance.

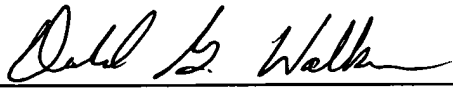
#### **CONCLUSION**

All of the grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding office action, and as such, the present application is in condition for allowance.

If it is believed that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600. Prompt and favorable consideration of this amendment is respectfully requested.

Respectfully submitted,

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By:   
Donald G. Walker, Reg. No. 44,390

General Motors Corporation  
300 Renaissance Center  
M.C. 482-C23-B21  
P.O. Box 300  
Detroit, MI 48265-3000

DGW:jm:cs